



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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DEC 14 2009

Ref: 8EPR-N

Federal Highway Administration
Colorado Division
Attention: Monica Pavlik
12300 W. Dakota Ave., Suite 180
Lakewood, CO 80228

Re: Comments on the US 36 Corridor Final
Environmental Impact Statement
CEQ # 20090366

Dear Ms. Pavlik:

The U.S. Environmental Protection Agency (EPA) Region 8 has reviewed the United States Highway 36 (US 36) Corridor Final Environmental Impact Statement (EIS), prepared by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) in cooperation with the Colorado Department of Transportation (CDOT) and the Regional Transportation District (RTD). The Final EIS identifies and evaluates impacts of multi-modal transportation improvements in the US 36 Corridor. This corridor follows an existing highway alignment between Interstate 25 (I-25) in Adams County and Foothills Parkway/Table Mesa Drive in Boulder, a distance of approximately 18 miles. Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609. It is EPA's responsibility to provide an independent review and evaluation of the potential environmental impacts of this project.

A Preferred Alternative Committee (PAC) identified a combined alternative package as the Preferred Alternative for the US 36 Corridor based on comments received on the Draft EIS. The primary elements of the Combined Alternative Package include one buffer-separated managed lane in each direction, Bus Rapid Transit (BRT) ramp stations, and auxiliary lanes between most interchanges. The Final EIS also discusses three alternatives analyzed in the Draft EIS: Package 1, the "no action" alternative; Package 2, which provides two managed lanes in each direction in the median of US 36 with median BRT stations; and Package 4, which provides one median BRT/High Occupancy Vehicle (HOV) lane in each direction with median BRT stations and one additional general-purpose lane in each direction. All three build packages also include a bikeway and alternative transportation strategies.

EPA appreciates the response to our comments on the Draft EIS provided in Volume III of this Final EIS. We thank you for the clarification to our questions regarding the impacts associated with the US 36 bikeway alignment as well as potential impacts to traffic in Boulder. We also thank you for the explanation of mitigation to replace parking lost at the McCaslin BRT station. However, we note that in Section 3.5.8 Impacts of Transit Patron Parking the mitigation measures are proposed for consideration during final design. We recommend that commitment to mitigate parking losses be included in the Record of Decision (ROD) for the project.

Air Quality

In Section 4.12 Air Quality, it is unclear if emissions of re-entrained road dust particulate matter less than 10 microns in diameter (PM_{10}) were included with the tailpipe estimated PM_{10} emissions as presented in Tables 4.12-3, 4.12-4 and 4.12-5. Communications with FHWA and CDOT have confirmed that estimated re-entrained road dust PM_{10} emissions were not included in these tables. For purposes of full public disclosure in the Final EIS, the re-entrained road dust PM_{10} emissions should have been included, as those emissions are typically significantly greater than the tailpipe PM_{10} emissions component. We recommend a clarification of this issue be included in the ROD.

The section titled "Comparison to Another Location with Similar Characteristics" on pg. 4.12-17 presents some confusion regarding average daily traffic (ADT) used in the PM_{10} hotspot qualitative analysis. We suggest including in the ROD a clarification of which ADT figure (196,000 peak ADT or 155,000 average ADT) was used to compare estimated PM_{10} concentrations at the US 36 / I-25 intersection to measured concentrations at 1050 South Broadway. We note that it does appear that estimated PM_{10} emissions will be below the National Ambient Air Quality Standard for either ADT figure.

EPA is pleased to see the addition of a discussion of Climate Change Cumulative Effects in the Final EIS. We do recommend, however, that Mobile Source Air Toxics and Greenhouse Gas issues are not confused by discussing them both in the same section despite their mutual inclusion in CDOT's Air Quality Policy Directive. We are also interested in engaging in further communication regarding possible additions to this discussion for the purposes of future NEPA documents.

Water Quality

Thank you for the explanation that the design of water quality treatment facilities has accounted for needed water quality capture volumes for the entire project. We have reviewed the *Conceptual Drainage Analysis* (CH2M Hill, 2009) and agree that the Tier 1 best management practice (BMP) requirements from the CDOT New Development and Redevelopment Program are met. EPA acknowledges that the Preferred Alternative will likely improve water quality in the project area relative to Package 1, due to implementation of BMPs for reducing water quality impacts. However, long-term improvement in water quality requires that BMPs continue to perform at their design capacity throughout the life of the project. We recommend that monitoring and maintenance for BMP performance be provided for in the ROD.

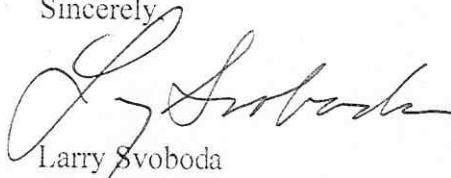
Preferred Alternative

Similar to the concern we presented for Package 4 during the Draft EIS, we are concerned that the Preferred Alternative, with only one additional managed lane in each direction and auxiliary lanes added between most intersections, will not encourage a mode shift from single-occupant vehicle to other forms of transportation such as carpools and BRT. We recognize the number and complexity of issues balanced by the PAC in developing the Combined Alternative Package/Preferred Alternative. We also acknowledge that impacts to many resources have been reduced for the Preferred Alternative relative to those of Package 2 or 4, due to the decreased right-of-way width allowed by selecting ramp and side-loading stations for BRT rather than median stations. However, EPA questions whether the use of BRT stations to the side of the road, rather than median stations, will decrease the appeal of BRT as an option for short trips along the corridor.

EPA remains concerned that, without access to managed lanes as provided in Packages 2 and 4, All Stops buses may not be able to provide adequate time savings over general traffic to attract passengers. The travel time for All Stops buses under the Preferred Alternative will be 35 percent greater than for Package 2 or 4. For most of the US 36 Corridor, All Stops buses will travel in the auxiliary lanes, at the same pace as general traffic. We recognize that Table 3.4-9 *Weekday Bus Rapid Transit Daily Boardings* predicts increased ridership for many intermediate stations for the Preferred Alternative over the other packages, however, it is unclear to what extent the modeled bus ridership depends on other differences in bus service among the alternatives. We are pleased to see the addition of queue jumps and ramp meter bypasses to reduce overall delay for the buses. EPA recommends further consideration be given to additional traffic mitigation measures that will ensure efficient BRT service for passengers travelling only a portion of the US 36 Corridor.

EPA appreciates the opportunity to review the Final EIS for the US 36 Corridor. If you have any questions on the comments provided in this letter, please contact me at 303-312-6004, or you may contact Molly Brodin of my staff at 303-312-6577.

Sincerely,



Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation

